

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 IRON MIKE LANDRUM SR.,

8 Plaintiff(s),

9 v.

10 MICHAEL GERARD TYSON,

11 Defendant(s).

Case No. 2:17-CV-1821 JCM (NJK)

ORDER

12
13 Presently before the court is Magistrate Judge Koppe's report and recommendation
14 ("R&R"). (ECF No. 24). No objections have been filed, and the deadline for filing objections has
15 since passed.

16 This court "may accept, reject, or modify, in whole or in part, the findings or
17 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
18 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
19 determination of those portions of the [report and recommendation] to which objection is made."
20 28 U.S.C. § 636(b)(1).

21 Where a party fails to object, however, the court is not required to conduct "any review at
22 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149
23 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
24 magistrate judge's report and recommendation where no objections have been filed. *See United*
25 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
26 employed by the district court when reviewing a report and recommendation to which no
27 objections were made).

1 Magistrate Judge Koppe recommends that plaintiff's complaint be dismissed without
2 prejudice for failure to state a claim upon which relief can be granted. (ECF No. 24).

3 Plaintiff has not objected to the report and recommendation. Nevertheless, this court finds
4 it appropriate to engage in a *de novo* review to determine whether to adopt the recommendation of
5 the magistrate judge. Upon reviewing the recommendation and underlying briefs, the court finds
6 that good cause appears to adopt the magistrate judge's findings.

7 Accordingly,

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge
9 Koppe's report and recommendation (ECF No. 24) be, and the same hereby is, ADOPTED in its
10 entirety.

11 IT IS FURTHER ORDERED that plaintiff's complaint be, and the same hereby is,
12 DISMISSED without prejudice.

13 The clerk shall enter judgment accordingly and close the case.

14 DATED June 18, 2018.

15 
16 _____
UNITED STATES DISTRICT JUDGE